ENVIRONMENTAL ASSESSMENT DECISION NOTICE
for the
Mount Haggin WMA-German Gulch Grazing Lease Renewal

Montana Fish, Wildlife & Parks (FWP)
Region 3, Bozeman
March 2011

Preface

The enclosed Decision Notice has been prepared to renew the Mount Haggin Wildlife Management Area-German Gulch grazing lease for a 10-year term to extend June 2011 through October 2020. The grazing lease is part of a cooperative grazing program with the U.S. Forest Service (USFS) on the Beaverhead-Deerlodge National Forest which began in 1989. It consists of a rest-rotation grazing system for 436 Animal Unit Months with the Peterson Fairmont Ranch.

The proposed grazing program would encompass approximately FWP-owned 9,287 acres and approximately 10,829 USFS-administered acres. Total acreage involved encompasses approximately 20,106 acres.

This cooperative grazing system promotes landscape management of elk winter range, along with wildlife habitat in general, extending across land ownerships. This grazing system has demonstrated the compatibility of livestock production and wildlife/recreation-based economies.

Public Process and Comments

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on February 2, 2011.

The following two alternatives were considered in this Environmental Assessment:
Alternative A: Renewal of the Mount Haggin WMA-German Gulch grazing lease.
Alternative B (No Action): Elimination of livestock grazing on the Mount Haggin WMA-German Gulch grazing system.

Public comments were taken for 27 days (February 2-28, 2011). Legal notices were printed in the *Montana Standard* (Butte) and the *Leader* (Anaconda). The Environmental Assessment was also posted on the FWP webpage: http://fwp.mt.gov//publicnotices/.

Five parties submitted comments over the 27-day comment period ending at 5:00 p.m. on February 28, 2011. Of the five respondents, one represented themselves while four represented the following organizations or agencies: Skyline Sportsmen's Association, Anaconda Sportsmen's Club, Gallatin Wildlife Association, and the Beaverhead-Deerlodge National Forest-Butte Ranger District.

Of the five respondents, four stated direct support for Alternative A; the fifth respondent stated that he generally opposes livestock use of Wildlife Management Areas, but since the Department appears committed to doing so on Mount Haggin WMA, he asks that the Department considers his comments and incorporates his ideas into the planning process.

Following is a summary of the comments received regarding the Mount Haggin Wildlife Management Area-German Gulch grazing lease renewal and FWP's response to them.

<u>Support for Alternative A</u>
The following reasons have been given in support of continuing the Mount Haggin WMA-German Gulch grazing lease:

- The cooperative nature of this grazing system has benefitted resources on both FWP and National Forest System lands in the German Gulch area. The Forest Service looks forward to the continuation of this cooperative effort.
- The Petersons (lessees) are good stewards of the land and work well with sportsmen and women to provide access and hunting opportunities to their deeded land.

The following is a summary of comments provided and FWP's response to them. Because some of these comments were generic to both the German Gulch and South grazing systems being proposed on Mount Haggin WMA, FWP's responses were directed at both, when appropriate.

- We urge the department to continually monitor forage use so that there will be adequate forage for wildlife species.

FWP's response: FWP is committed to doing so through the various monitoring methods that are currently in place and have been described in the respective EA's under "Evaluation of Impacts to the Physical Environment."

- Is there a wildlife management plan for Mount Haggin WMA? If not, there needs to be one.

FWP's response: As stated on page 1 of the Draft EA, the Mount Haggin WMA Interim Management Plan (1980) is in the process of being revised and is expected to be completed in 2011.

- Rest-rotation livestock use of the WMA is not an appropriate goal for any WMA.

FWP's response: FWP agrees with this opinion. Livestock grazing on the WMA in and of itself should not be, nor is, a goal of Mount Haggin WMA. However, when applied appropriately, rest-

rotation livestock grazing is a useful tool to manage habitat conditions for fish and wildlife resources, often across broader landscapes than just the WMA.

- Provide a thorough discussion about degraded or missing native fish, wildlife or plant communities and what FWP's plans are for restoration and conservation of these native species. For example, what is the status of willow communities on the WMA, how has livestock use impacted these areas and the moose that depend on them, and have any willow communities been completely protected from livestock use during the growing season?

FWP's response: Discussion of native fish, wildlife and plant communities was included in each EA, respectively, under "Evaluation of Impacts on the Physical Environment". Further discussion on any restoration or conservation efforts is beyond the scope of this EA and would occur in an EA focused on those specific efforts. Regarding willow communities, trend photos and air photo interpretation show an increase in vigor and gross amount of willow communities across the WMA since FWP has assumed ownership and implemented a rest-rotation grazing system (Frisina and Keigley 2004). A willow browse evaluation system has been in place since 2000, following methodology described by Keigley and Frisina (1998), as a tool to help manage moose populations on the WMA. Four monitoring sites were established: two within pastures, two outside pastures (i.e. where no livestock grazing occurs). Monitoring results show no significant difference in average annual browse utilization between the four sites. FWP, in cooperation with Montana State University, initiated a graduate research project in 2007 involving GPS-collared adult female moose to further explore the relationship between moose and the vegetation communities on the WMA. Results from this study have been synthesized annually in progress reports to FWP; the most recent completed in 2010. The final thesis is expected to be completed later this year. Preliminary results do not suggest impacts, direct or otherwise, to the moose population on the WMA as a result of livestock grazing.

Frisina, M.R. and R.B. Keigley. 2004. Habitat changes: Mount Haggin Wildlife Management Area. Rangelands 26: 3-13.

Keigley, R.B. and M.R. Frisina. 1998. Browse evaluation by analysis of growth form. Vol. 1. Montana Fish, Wildlife and Parks, Helena, MT. 153 pp.

Burkholder, B., V. Boccadori, R. Garrott. 2010. Winter distribution, habitat use and willow utilization patterns by Shiras moose (*Alces alces shirasi*) on the Mount Haggin Wildlife Management Area. Montana Fish, Wildlife and Parks, Progress Report, Butte, MT. 74 pp.

- There should be an appropriate watershed or pasture-level control for monitoring impacts of the grazing system over time. Additionally, how is FWP monitoring the livestock use plan?

FWP's response: FWP recognizes the need to monitor impacts of the grazing system over time. FWP has employed permanent photo points on both grazing systems (German Gulch and South), and in the case of the South system, two vegetation exclosures have also been established. This monitoring effort is described in greater detail under the "Vegetation" section on page 6 of the

Draft EA for the German Gulch system, and on page 9 of the Draft EA for the South system. While pasture-level controls have not been built into either grazing system on Mount Haggin, surrogates do exist. The Mid Beef pasture within the German Gulch system receives permanent rest from livestock grazing, functioning as a control, and the two vegetation exclosures on the South system also serve this function. In addition, a large portion of the northeastern portion of the WMA has no livestock grazing on it.

- What are the key native plants, fish and wildlife species that are being monitored with respect to livestock grazing on the WMA? What trend data for these species has been compiled?

FWP's response: FWP monitors native plant communities rather than individual species through photo points and exclosures. These sites were established to capture the key vegetation communities in both the upland and riparian areas on the WMA, such as sagebrush-grassland, bitterbrush-grassland, forest-grassland edge, grassland, aspen and willow. In addition, they are well distributed throughout the pastures for each grazing system. Fishery surveys are conducted approximately every five years to assess the native fisheries status. The fisheries resources associated with both grazing systems have been described on page 8 of the Draft EA for the German Gulch system and on page 11 of the Draft EA for the South system. Aerial wildlife surveys are conducted annually on the WMA for moose, elk, mule deer and antelope. In addition, a beaver survey will be conducted on the WMA this fall. The wildlife resources associated with both grazing systems have been described on page 9 of the Draft EA-German Gulch and page 13 of the Draft EA-South.

- Identify how many miles of fencing are currently in place or must be constructed as a result of continuing livestock use on the WMA.

FWP response: There are approximately 21.8 miles of fencing associated with the German Gulch grazing system. Approximately 8.37 miles of this is in major disrepair and is expected to be replaced in 2011. This has been noted on page 2 of the Draft EA under "Costs and Jurisdictions". There is approximately 50 miles of fencing in the South grazing system. Approximately 3.6 miles of this is defunct and expected to be replaced in 2011 in addition to approximately 1 mile of new fence construction, also expected to be completed in 2011. This has been noted on page 4 of the Draft EA under "Costs and Jurisdictions".

- How many stock tanks, miles of pipeline, and water diversions are associated with the Mount Haggin grazing systems?

FWP response: neither the German Gulch nor the South systems on the WMA have any stock tanks, pipelines or water diversions associated with them.

- Provide a website-based monitoring plan so that information is available to the public in a timely manner.

FWP's response: Such a site does not currently exist nor are there plans to create such a site at this time. However, all data gathered by FWP is public information and can be provided to inquiring parties, along with interpretation of analyses and results, as requested.

- Provide a thorough scientific literature review and analysis in the EA of the impacts of livestock use to native fish, wildlife and plants. (The commenting party provided such a review to FWP along with their comments.)

FWP's response: FWP thanks the respondent for providing their literature review to the department and recognizes the ever-present opportunity to be more thorough in the execution of and evaluation of our management of Montana's fish and wildlife resources. While an exhaustive literature search on the order of the respondent's was not conducted for both Mount Haggin grazing lease renewal EA's, FWP fish and wildlife biologists gave careful consideration to the impacts of livestock grazing on the resources, drawing upon their expert knowledge, field observations, trend surveys, and scientific studies conducted locally on the Mount Haggin and Fleecer WMA grazing systems.

- How were stocking rates determined?

FWP's response: Stocking rates were determined using guidelines described in the following:

Lacey, J. and J.E. Taylor. 1985. Montana guide to range site, condition and initial stocking rates. Montana State University, Extension Service, MT198515 AG, Bozeman, MT. 4pp.

The proposed stocking rates for both the German Gulch and South systems are below the rates suggested, which are based on range sites and soil characteristics. This illustrates the fact that it is not the objective of the Mount Haggin grazing systems to maximize livestock production on the WMA, but rather to use a managed livestock grazing system for the benefit of wildlife and fish resources and the habitat upon which they depend.

- What is the current grazing fee on the Mount Haggin WMA systems relative to market value?

FWP's response: There are two grazing rate options that FWP can choose when setting grazing fees on the WMA's. One is the FWP rate, set at $18.40 per Animal Unit Month (AUM) for 2011; the other is the rate set by the Department of Natural Resources and Conservation, which is $6.23 per AUM for 2011. Both rates fluctuate annually depending on market conditions. Since 2001 FWP has been charging the DNRC rate on both the German Gulch and South grazing systems, with the condition that lessees are responsible for daily fence maintenance and repair. In the long run this it has proved more economical for the department by avoiding the cost of fence maintenance during the grazing system.

- Provide a thorough review and analysis of the monitoring program since livestock use has been implemented on the WMA and the current trend data for important native fish, wildlife and plants. How long has the Mount Haggin WMA been utilized by livestock under FWP's supervision?

FWP's response: this information has been provided in the respective grazing lease renewal EA's for Mount Haggin WMA under "Evaluation of Impacts on the Physical Environment".

- What livestock use system has been in place? What records have been kept to verify compliance on the WMA and how is non-compliance handled?

FWP's response: The livestock use system that has been in place and is proposed for continuation is a rest-rotation system, as described in the respective Mount Haggin WMA grazing EA's. Lessee grazing lease compliance is monitored through several avenues, including a spring meeting with lessees prior to the start of the grazing season, periodic field checks throughout the summer while performing other duties on the WMA, and wrap-up meetings, usually via phone, after the grazing season is completed for the year. Non-compliance has not been an issue to date. When a problem does occur on the grazing system, usually in the form of trespass cattle, a phone call to the lessee has been sufficient to get the problem corrected in a timely manner.

- Consider other alternatives to traditional rest-rotation systems, especially and primarily those that will provide more vegetative rest to the landscape.

FWP's response: FWP appreciates the prompt to stay open to new possibilities and maintain thoughtfulness rather than habit when managing the state's fish and wildlife resources. However at this time FWP feels that the current cooperative German Gulch grazing system is providing benefits to wildlife across a broad landscape and does not warrant changes. While FWP proposes to retain the rest-rotation program on the South grazing system, the proposal does include an expansion of the pastures included in this system. This will lower the overall stocking rate and provide lighter use than what has been sustained previously, in addition to the rest that is built into the system. Also through the contingencies explained in the EA, additional acres of BLM and private lands previously managed under continuous grazing will be managed under a rest-rotation system, and two US Forest Service allotments will be relinquished, thereby allowing complete rest from livestock grazing on this acreage.

- Does FWP have any data that suggests extended periods of rest from livestock grazing is NOT beneficial to native fish, wildlife and plant communities?

FWP's response: No. From a biological standpoint, FWP feels that extended periods of rest or absence of livestock grazing would not negatively impact native fish, wildlife or plant communities. Experience has shown FWP, however, that well-managed livestock grazing on WMA's provides both biological benefits to wildlife (i.e. removal of previous year's growth of grasses (Wambolt et al 1997), as well as social benefits to wildlife through tolerance (i.e. the case of the Fleecer wintering elk herd (Frisina and Morin 1991)).

Frisina, M.R. and F. Morin 1991. Grazing private and public land to improve the Fleecer Elk Winter Range. Rangelands 13:291–294.

Wambolt, C. L., M.R. Frisina, K.S. Douglass, and H.R. Sherwood 1997. Grazing effects on nutritional quality of bluebunch wheatgrass for elk. Journal of Range Management 50: 503-506.

- Please consider a "good neighbor" alternative that prescribes livestock use in just one pasture a year from July 15th – August 15th, rotating that use through the pastures in the system.

FWP's response: While FWP recognizes the value of additional rest that such a grazing system would provide to 21,378 acres on the WMA, it also recognizes that adoption of such a system on the WMA would cease and void all cooperative grazing programs associated with the German Gulch and South grazing systems. Such cessation would negatively impact native fish, wildlife and habitat across 22,876 acres of US Forest Service land, 3,073 acres of Bureau of Land Management land, and 2,600 acres of private land that are part of the currently proposed grazing systems. For this reason, FWP feels the greater benefit to fish, wildlife and habitat is through continuation of these cooperative programs that have broad, landscape level applications.

- Provide a full cost/benefit accounting, including all staff time, spent on this endeavor. Can FWP clearly demonstrate that the benefits of undertaking this intensive livestock use program exceed the costs, both economically and more importantly, ecologically?

FWP's response: The short answer is that such accounting does not exist nor can it be measured in such simplistic terms. While financial costs and income can be accounted for and have been provided in the EA's (maintenance costs associated with the German Gulch and South systems since their inception on page 5 and page 7, respectively, and income generated by grazing fees on page 17 and page 21, respectively), the intrinsic costs and benefits are not as easy to quantify. For instance, how would one quantify the cost to wintering elk if the Mid Beef pasture in the German Gulch system was not permanently rested from livestock grazing in the absence of the cooperative grazing program? Or how does one quantify the benefit to anglers from having an improved native fisheries along Deep Creek and the Big Hole River due to the Ralston Ranch's continuation of habitat improvement projects through their CCAA, as a result of increasing livestock usage on the Mount Haggin-South grazing system? At the forefront of management actions proposed by FWP biologists is the question of whether there will be an overall benefit to fish and/or wildlife as a result of the action. While it may be offensive to some members of the public that such definitive accounting cannot be provided in the case of the proposed Mount Haggin grazing systems, FWP feels that in full consideration of both measurable and intrinsic costs and benefits, renewal of these grazing systems would provide an overall benefit to native fish and wildlife resources.

- Provide full disclosure on any cooperative or financial agreements with private land or livestock owners as well as other state or federal agencies.

FWP's response: Documents associated with the German Gulch and South grazing programs and their status include the following:

  - *Cooperative Agreement with the Butte District of the Beaverhead-Deerlodge National Forest regarding the German Gulch grazing system. This document has been recently updated, signed by the Forest Service, and is awaiting FWP signature.*

- *Cooperative Agreement with the Wise River District of the Beaverhead-Deerlodge National Forest regarding the South grazing system. This document is in the process of being updated, pending approved changes to the grazing system, and will be signed by both parties later this summer.*
- *Memorandum of Understanding between the Bureau of Land Management and FWP regarding the South cooperative grazing program. This document will be updated and signed by both parties later this summer.*
- *Individual grazing leases between FWP and Peterson Fairmont Ranch, Ralston Ranch, Bacon Ranch, and Clyde Thompson, respectively. Pending FWP Commission approval, these leases will be signed by both parties during the spring permittee meetings.*
- *Upland Game Bird Habitat Enhancement Project contract between FWP and the Ralston Ranch. This contract has been approved by FWP and will be signed by both parties this winter.*
- *Candidate Conservation Agreement with Assurances (CCAA) for Arctic grayling between FWP and the Ralston Ranch. This document has been signed by both parties and is currently being enacted upon.*

All documents, with the exception of the CCAA, are on file at FWP's Butte Area Resource Office. The CCAA is on file at FWP's Dillon field office.

- Provide a discussion about habitat quality versus range condition.

FWP's response: The discussions provided in the respective EA's for each grazing system speaks in terms of habitat rather than range conditions. Since FWP's focus is not on livestock production, we feel a discussion of range conditions is not warranted in this response.

- How does drought get accounted for in the livestock management system?

FWP's response: An agreement is built into the grazing leases that allow FWP to modify grazing dates, depending upon vegetative conditions. When FWP exercised this conditional modification in the past, lessees complied fully with the request.

- Provide an explanation of hunter, recreation, motorized travel and road management plans for the WMA.

FWP's response: This request is beyond the scope of this EA. Such information will be provided in the Mount Haggin WMA Management Plan, expected to be updated later this year.

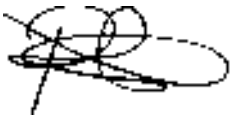
Final Environmental Assessment

No modifications to the Draft Environmental Assessment have been made as a result of public comments. Therefore, the Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

Based on the Environmental Assessment and public comment, it is my decision to approve the implementation of Alternative A for renewal of the Mount Haggin WMA-German Gulch grazing lease.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



_____ March 17, 2011

Patrick J. Flowers Date
Region 3 Supervisor
Montana Fish, Wildlife & Parks